

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

**In re C.R. BARD, INC. PELVIC REPAIR SYSTEM
PRODUCTS LIABILITY LITIGATION**

MDL No. 2187

THIS DOCUMENT RELATES TO ALL CASES

**PLAINTIFFS' EMERGENCY MOTION FOR HEARING ON BARD'S MOTION TO
DISQUALIFY NEERAJ KOHLI, M.D., AND
TO CONDUCT *IN CAMERA* EXAMINATION**

COME NOW the Plaintiffs, by and through the undersigned counsel, and pursuant to Rule 78.1 of the Local Rules of Civil Procedure for the Southern District of West Virginia, respectfully request that the Court permit an in-person hearing on Bard's Motion to Disqualify Neeraj Kohli, M.D. ("Dr. Kohli"), and to conduct an *in camera* examination of Dr. Kohli.

In *Rhodes v. E.I. DuPont De Nemours and Co.*, 558 F.Supp.2d 660 (S.D.W.Va.2008), this Court conducted an *in camera* examination in furtherance of the Court's investigation of the motion to disqualify an expert. Plaintiffs submit that an *in camera* examination of Dr. Kohli is appropriate in this situation to address the issues presented in the Declarations of Bard's counsel directly, and to allow Dr. Kohli the opportunity to answer any questions that the Court may have relating to any specific subject that was not addressed in his Declaration filed in opposition to the motion seeking his disqualification.

The time deadlines for expert depositions, and discovery generally, in Waves 1 and 2 are approaching, and this issue needs to be resolved expeditiously so that both parties will know how to proceed.

Plaintiffs further state that they and Dr. Kohli will arrange to appear at any location designated by the Court for the hearing on this motion.

This 5th day of November, 2014.

Respectfully submitted,

By: /s/ Henry G. Garrard, III
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Plaintiffs' Coordinating Co-Lead Counsel
and
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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

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